

CITY OF BOSTON
Mayor's Office of Consumer Affairs and Licensing



Boston City Hall, Room 817
Boston, MA 02201

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**Guidelines for any Person or Group Wishing to Stage
an Event the Week of July 24-August 1, 2004**

In order to implement an efficient process for the permitting of public events during the week of the Democratic National Convention, the City of Boston is instituting a permitting process for the above dates that is described below.

What Events are Covered?

This application applies to any public event planned for July 24 – August 1, 2004 that is open to the public and held on private or public property, including parades and demonstrations; this also includes licensed venues that are seeking to alter the scope of their current license. Limited exceptions are described below.

What Form Must Be Completed to Start the Process?

Any applicant seeking to stage an event during this period must begin the process by completing the *“Event Application for the Week of July 24 – August 1, 2004.”*

Where Can the Event Application for the Week of July 24 – August 1, 2004 be Obtained?

This application can be obtained by downloading it from www.CityofBoston.gov/dncweek or by picking it up in person at the office of Consumer Affairs and Licensing, Rm. 817, Boston City Hall, Boston MA, located on the 8th Floor.

Where Should the Completed Application Be Submitted?

The Office of Consumer Affairs and Licensing, Rm. 817, Boston City Hall, Boston MA 02201

When is the Deadline for Submitting Applications?

Applications must be submitted at least 14 days before the proposed event. The applicant will be mailed a written response to their application within 7 days of receipt of a completed application.

Steps to Follow

Please Note: The process will vary somewhat depending upon the type of event described in the application (i.e., an event requesting permission to run electricity, erect temporary shelters or tents, use propane for cooking, or sell alcohol will necessitate review and permission from a number of City agencies, including Health, Fire, and the like). Parades or demonstrations may not require multiple approvals.

Step 1

Submit a completed **Event Application for the Week of July 24 – August 1, 2004** to the Office of Consumer Affairs and Licensing, Rm. 817, Boston City Hall, Boston MA.

The Office of Consumer Affairs will review the application and, unless there are specific reasons for denying the application, direct the applicant in writing to the appropriate agencies and departments for additional permits. If no permit is required for the described activity, the applicant will be so informed. The applicant will be mailed a written response to their application within 7 days of receipt of a completed application.

Step 2

The Office of Consumer Affairs and Licensing will direct the applicant to the appropriate agencies to obtain the required permits. The applicant will be responsible for supplying any necessary information in order to obtain the appropriate permits from those agencies. The agencies and/or departments that the applicants may be referred to shall review the applicants' application and issue its decision within five (5) business days.

If an applicant has been referred to multiple agencies/departments, the applicant may pursue their application with those agencies/departments simultaneously.

Step 3

After all necessary permits have been obtained by the applicant, the Office of Consumer Affairs and Licensing shall issue the final approval or denial of the permit within three (3) business days.

The entire permitting process, from commencement to conclusion, shall not exceed fifteen (15) business days.

There are Limited Exceptions to the Permitting Requirements Described Above:

(1). Small Stationary Demonstrations:

Individuals and groups not exceeding twenty (20) people shall not be required to obtain any permits to exercise free speech and/or conduct lawful First Amendment activity. Said demonstrations shall be stationary in nature and shall not include the need for amplification, structures, and/or other equipment. Any individual or group acting under this provision shall abide by all regulations, ordinances, statutes and any and all other laws, including lawful orders of law enforcement officials. Any individual and/or groups in this category shall ensure safe passage (ingress-egress) for all pedestrian traffic on any and all sidewalks and other areas that they may be utilizing. Furthermore, any

individual or group of twenty or fewer people without a permit under this provision shall remain clear of and off all roadways, streets, avenues and any and all other arterials utilized by vehicular traffic. If an individual or group wishes to use any roadway, street, avenue or any and all other arterials utilized by vehicular traffic that individual and/or group shall comply with steps one through three noted herein.

(2). Spontaneous Demonstrations:

In order to address the need for spontaneous demonstrations, from July 10, 2004 through August 1, 2004 the permitting scheme shall be modified as follows:

(a) Groups that exceed twenty (20) people but consist of fewer than fifty-one (51) people (fifty or fewer) shall be required to obtain a permit. The applicant shall submit a completed permit application to the Office of Consumer Affairs and Licensing. In the event that only one (1) permit is required, the Office of Consumer Affairs and Licensing shall issue its final approval or denial of the permit application within two (2) business days. Groups exceeding fifty (50) people (fifty-one people or more) shall submit a completed permit application to the Office of Consumer Affairs and Licensing. In the event that only one (1) permit is required, the City of Boston agrees to exercise their best effort in issuing its final approval or denial of the permit application within two (2) business days.

(b) In keeping with this spontaneous demonstration policy, any permit applications filed between the dates of July 10, 2004 and August 1, 2004 shall be subject to competing permits and previously allocated sites.

(c) Additionally, any application for a permit that requires other permitting (i.e., requests for food vendors, health and sanitation requirements, electrical) the City of Boston shall require compliance with steps one through three above. It is therefore recommended that applications that require additional permits (as noted herein) be submitted at least fifteen (15) days in advance of the requested date for the permit.

What are the Reasons an Application for a Permit Could be Denied?

The City of Boston seeks to accommodate all applicants seeking to take advantage of the City of Boston's public forums. To maximize the efficient use of these forums and ensure the safety and convenience of the applicants and general public, access to these forums must be regulated. To this end, the City of Boston may deny an application for a permit for the following reasons:

- The use or activity intended by the applicant is prohibited by law, ordinance, or by regulation.
- A fully executed prior application for a permit for the same time and place has been received and a permit has been or will be granted to a prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area
- The use or activity intended by the applicant would conflict with previously planned programs organized and conducted by the City and previously scheduled for the same time and place

- The use or activity intended by the applicant would present an unreasonable danger to the health or safety of the applicant or other users of area or of City employees or of the public
- The applicant has not complied with or cannot comply with applicable licensure requirements, ordinances or regulations of the city concerning the sale or offering of any goods or services
- The applicant has made on prior occasions material misrepresentations regarding the nature or scope of an event or activity previously permitted or has violated the terms of prior permits issued to or on behalf of any applicant
- The application is not fully completed and executed
- The applicant has not tendered the required insurance certificate
- The application contains a material falsehood or misrepresentation
- The applicant is legally incompetent to contract or to sue and be sued
- The applicant or the person on whose behalf the application for permit was made has on prior occasions damaged city property and has not paid in full for such damage or has other outstanding and unpaid debts to the City

Where an application for permit has been denied because a fully executed prior application for the same time and place has been received and a permit has been or will be granted to the prior applicant authorizing uses or activities which do not reasonably permit multiple occupancy of the particular area, the City will propose an alternative place, if available, for the same time, or an alternative time if available for the same place.

Any requirements for a certificate of insurance shall be waived by the City if the activity is protected by the First Amendment of the United States Constitution and the requirement would be so financially burdensome that it would preclude the applicant from using the proposed area for the proposed activity. Fees for equipment and services shall not be waived. Application for a waiver must be in writing and shall include an affidavit by the applicant and sufficient financial information about the applicant to enable the City to determine whether the requirement would be so financially burdensome that it would preclude the applicant from using the property for the proposed activity.

Appeal Process

Any applicant aggrieved by the final decision of the City may seek judicial review in state court by common-law certiorari.